

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ICU MEDICAL, INC.,

Plaintiff,

v.

RYMED TECHNOLOGIES, INC.,

Defendant.

C.A. No. 1: 07-00468-JJF

**DECLARATION OF DANA WILLIAM RYAN IN SUPPORT OF RYMED
TECHNOLOGIES, INC.'S MOTION TO TRANSFER VENUE PURSUANT TO
28 U.S.C. § 1404(a)**

I, Dana William Ryan, declare that

1. The facts set forth below in this declaration are based upon my personal knowledge, and if called as a witness, I could and would testify competently to those facts.
2. I am currently the Director and Chairman of the Board of Directors of RyMed Technologies, Inc. ("RyMed"). RyMed Technologies, Inc., founded in 1994, specializes in the development and marketing of innovative safety products in the field of intravenous catheter care management.
3. The components of RyMed's products are manufactured at Accellent Endoscopy in Upland, California; A.C. Hoffman in Riverside, California; and Hi-Tech Rubber in Anaheim, California. Those components are then assembled and packaged in Mexico.
4. RyMed sells its products, including its InVision-Plus[®] NEUTRAL[®] I.V. Connector System, through a distributor, Medical Specialties Distributors, located in City of Industry, California.

5. RyMed's products are currently sold to six hospitals in California: (1) Doctors Hospital in Modesto, California; (2) Good Samaritan Hospital in San Jose, California; (3) Mills Peninsula Hospital in Burlingame, California; (4) Veterans Affairs Medical Center in San Francisco, California; (5) Feather River Hospital in Paradise, California; and (6) Sutter Roseville Medical Center in Roseville, California.

6. RyMed does not have any manufacturing facilities, distributors, or hospital accounts within the state of Delaware.

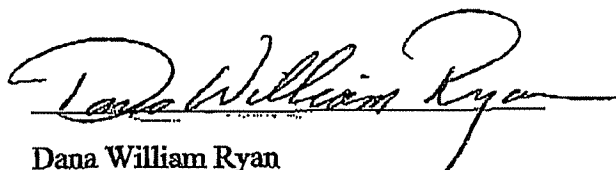
7. RyMed does not engage in any research or development activities within the state of Delaware.

8. RyMed does not maintain any facilities or employ any personnel within the state of Delaware. RyMed does not maintain storage facilities within the state of Delaware. RyMed does not store files, records, or other documents within the state of Delaware. RyMed does not keep business mail drops, bank accounts, or telephone numbers within the state of Delaware.

9. Over the past year, RyMed has designed a new InVision-Plus[®] commercial product, the InVision-Plus[®] Neutral[®] with Modified Boot. RyMed will begin offering the InVision-Plus[®] Neutral[®] with Modified Boot for sale in the first quarter of 2008. To that end, RyMed has taken a series of steps to begin commercialization, advertising, and sales. Those steps include:

- a. The completion of all engineering design drawings for the new modified boot;
- b. The completion of all engineering functional testing on the new modified boot;
- c. The completion of all sterilization testing on the new modified boot;
- d. The development of a large cavitation production mold of the new modified boot design scheduled for completion in the late fourth quarter of 2007; and
- e. The preparation of sales and marketing literature for the modified boot design.

I declare under penalty of perjury under the laws of United States of America that the foregoing is true and correct.

A handwritten signature in dark ink, reading "Dana William Ryan", is written over a horizontal line. The signature is fluid and cursive.

Dana William Ryan

Executed in Williamson County, Franklin, Tennessee on October 10, 2007.

CERTIFICATE OF SERVICE

The undersigned counsel certifies that, on October 11, 2007, he electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will send automatic notification of the filing to the following:

Richard L. Horwitz, Esquire
Kenneth L. Dorsney, Esquire
Potter, Anderson & Corroon, LLP
1313 N. Market Street, 6th Floor
Wilmington, Delaware 19899

The undersigned counsel further certifies that, on October 11, 2007, copies of the foregoing document were sent by email and hand to the above local counsel and by email and first class mail to the following non-registered participant:

James Pooley, Esquire
Marc Peters, Esquire
Kimberly Van Voorhis, Esquire
Morrison & Foerster, LLP
755 Page Mill Road
Palo Alto, CA 94304

/s/ Richard D. Kirk (rk0922)
Richard D. Kirk